

SEALED

DISTRICT OF OREGON, ss: AFFIDAVIT OF SA PETER A. JACKSON

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, Peter A. Jackson, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. ' 2510(7). I am currently a Special Agent with the Federal Bureau of Investigation (FBI) and have been since August 2008. I am currently assigned to the Salem Resident Agency in Salem, Oregon (OR). While employed by the FBI, I have been trained in and investigated federal criminal violations related to high technology/cybercrime, financial crime, and violent crime. I have gained experience through training at the FBI Academy in Quantico, Virginia and by conducting these types of investigations. I am a federal law enforcement officer who is engaged in enforcing criminal laws, including the Interstate Communication of Threats made in violation of 18 U.S.C. § 875.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for Christopher David Michalski (MICHALSKI) for committing the crime of Interstate Communication of Threats, in violation of 18 U.S.C. § 875(c). As set forth below, there is probable cause to believe, and I do believe, that MICHALSKI committed the crime of Interstate Communication of Threats, in violation of 18 U.S.C. § 875(c).

3. The facts and information set forth in this Affidavit are based upon my personal knowledge obtained during this investigation, information provided to me by other investigators, as well as documents and records obtained through the course of this investigation. This case is

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being investigated by the FBI, with assistance from various state and local law enforcement agencies.

4. Because I am submitting this Affidavit for the limited purpose of establishing probable cause for the requested warrant and complaint, I have not included every fact known to me concerning this investigation.

Applicable Law

5. Title 18, U.S.C. § 875(c) makes it a felony crime to transmit in interstate or foreign commerce any communication containing any threat to injure the person of another.

Summary

6. The United States is conducting a criminal investigation of MICHALSKI, who is using Twitter account @goldshroomsand1, regarding violations of 18 U.S.C. § 875. This case was initiated after a complaint was received from the Director of Threat Assessment and Risk Intelligence at Robinhood Markets, Inc. (Robinhood), a financial company headquartered in Menlo Park, California, about Twitter posts that threatened physical violence and murder directed at employees of Robinhood in retribution for the financial losses that the user of Twitter account @goldshroomsand1 claims to have suffered. Robinhood was concerned about the continued and escalating nature of the violent threats that were directed at the company and its employees and the potential for a violent onsite altercation. The user of Twitter account @goldshroomsand1 has been identified as MICHALSKI, a resident of Salem, Oregon. Twitter is a company headquartered in San Francisco, California and the communications outlined herein were transmitted in interstate commerce.

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Twitter

7. Twitter owns and operates a free-access social-networking website of the same name that can be accessed at <http://www.twitter.com>. Twitter allows its users to create their own profile pages, which can include a short biography, a photo of themselves, and location information. Twitter also permits users create and read 140-character messages called “Tweets,” and to restrict their “Tweets” to individuals whom they approve. These features are described in more detail below.

8. Upon creating a Twitter account, a Twitter user must create a unique Twitter username and an account password, and the user may also select a different name of 20 characters or fewer to identify his or her Twitter account. The Twitter user may also change this username, password, and name without having to open a new Twitter account.

9. Twitter asks users to provide basic identity and contact information, either during the registration process or thereafter. This information may include the user’s full name, e-mail addresses, physical address (including city, state, and zip code), date of birth, gender, hometown, occupation, and other personal identifiers. For each user, Twitter may retain information about the date and time at which the user’s profile was created, the date and time at which the account was created, and the Internet Protocol (“IP”) address at the time of sign-up. Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access a given Twitter account.

10. A Twitter user can post a personal photograph or image (also known as an “avatar”) to his or her profile, and can also change the profile background or theme for his or her
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account page. In addition, Twitter users can post “bios” of 160 characters or fewer to their profile pages.

11. Twitter also keeps IP logs for each user. These logs contain information about the user’s logins to Twitter including, for each access, the IP address assigned to the user and the date stamp at the time the user accessed his or her profile.

12. Twitter users can use their Twitter accounts to post “Tweets” of 140 characters or fewer. Each Tweet includes a timestamp that displays when the Tweet was posted to Twitter. Twitter users can also “favorite,” “retweet,” or reply to the Tweets of other users. In addition, when a Tweet includes a Twitter username, often preceded by the @ sign, Twitter designates that Tweet a “mention” of the identified user. In the “Connect” tab for each account, Twitter provides the user with a list of other users who have “favorited” or “retweeted” the user’s own Tweets, as well as a list of all Tweets that include the user’s username (i.e., a list of all “mentions” and “replies” for that username).

13. Twitter users can include photographs or images in their Tweets. Each Twitter account also is provided a user gallery that includes images that the user has shared on Twitter, including images uploaded by other services.

14. Twitter users can also opt to include location data in their Tweets, which will reveal the users’ locations at the time they post each Tweet. This “Tweet With Location” function is off by default, so Twitter users must opt in to the service. In addition, Twitter users may delete their past location data.

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15. When Twitter users want to post a Tweet that includes a link to a website, they can use Twitter's link service, which converts the longer website link into a shortened link that begins with <http://t.co>. This link service measures how many times a link has been clicked.

16. A Twitter user can "follow" other Twitter users, which means subscribing to those users' Tweets and site updates. Each user profile page includes a list of the people who are following that user (i.e., the user's "followers" list) and a list of people whom that user follows (i.e., the user's "following" list). Twitter users can "unfollow" users whom they previously followed, and they can also adjust the privacy settings for their profile so that their Tweets are visible only to the people whom they approve, rather than to the public (which is the default setting). A Twitter user can also group other Twitter users into "lists" that display on the right side of the user's home page on Twitter. Twitter also provides users with a list of "Who to Follow," which includes a few recommendations of Twitter accounts that the user may find interesting, based on the types of accounts that the user is already following and who those people follow.

17. In addition to posting Tweets, a Twitter user can also send Direct Messages (DMs) to one of his or her followers. These messages are typically visible only to the sender and the recipient, and both the sender and the recipient have the power to delete the message from the inboxes of both users. As of January 2012, Twitter displayed only the last 100 DMs for a particular user, but older DMs are stored on Twitter's database.

18. Twitter users can configure the settings for their Twitter accounts in numerous ways. For example, a Twitter user can configure his or her Twitter account to send updates to
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the user's mobile phone, and the user can also set up a "sleep time" during which Twitter updates will not be sent to the user's phone.

19. Twitter includes a search function that enables its users to search all public Tweets for keywords, usernames, or subject, among other things. A Twitter user may save up to 25 past searches.

20. Twitter users can connect their Twitter accounts to third-party websites and applications, which may grant these websites and applications access to the users' public Twitter profiles.

21. If a Twitter user does not want to interact with another user on Twitter, the first user can "block" the second user from following his or her account.

22. In some cases, Twitter users may communicate directly with Twitter about issues relating to their account, such as technical problems or complaints. Social-networking providers like Twitter typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications. Twitter may also suspend a particular user for breaching Twitter's terms of service, during which time the Twitter user will be prevented from using Twitter's services.

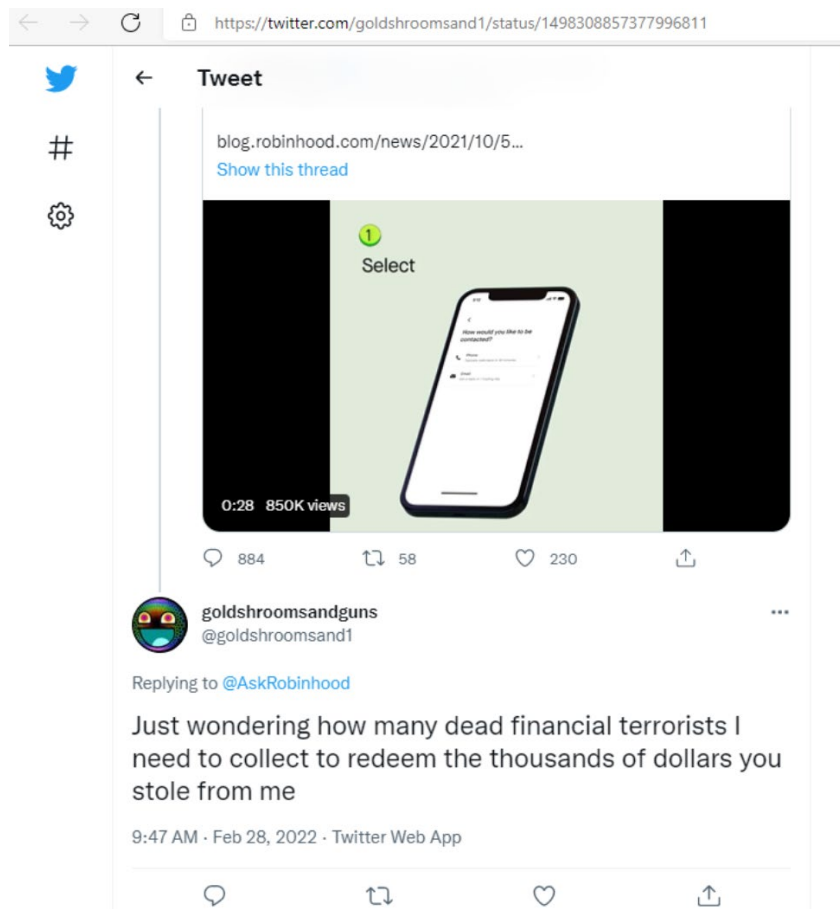
Statement of Probable Cause

23. On or about April 14, 2022, a Robinhood employee contacted the Federal Bureau of Investigation to report a series of online Twitter posts (also known as Tweets) made by user @goldshroomsand1 that were directed at Robinhood and were containing threats to injure and
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kill Robinhood employees, to include threats directed at the Chief Executive Officer (CEO) and his family. The posts included the following:

24. On May 9, 2021, @goldshroomsand1, posted the following Tweet: “If anyone is interested, Robinhood’s headquarters is in Menlo Park, CA. 85 Willow Road. They’re near the Timothy Hopkins Park and the Willow Park Campus. I worry people will go there in person to politely air out their grievances.” The post also contained a picture and map of where Robinhood’s headquarters is located.

25. On February 28, 2022, @goldshroomsand1, posted the following tweet directed at Robinhood: “Just wondering how many dead financial terrorists I need to collect to redeem the thousands of dollars you stole from me.”



26. On February 15, 2022, @goldshroomsand1, posted: “Robinhood defrauded the Wall. Robinhood had a great fall. All the king's horses, and all the king's men, couldn't unfuck my rifle from their dead assholes, ever again.”

27. In February 2022, @goldshroomsand1, posted: “Can’t enjoy the 10s of 1000s you stole from me if you’re all fuckin dead.”

28. On March 1, 2022, @goldshroomsand1, posted the following tweet directed “@AskRobinhood @RobinhoodApp”:

“Q: How many financial terrorists are going to have to die for me to get back the money you stole from me?

A: All of them. All of them have to die.”



29. On March 1, 2022, @goldshroomsand1, posted the following message directed at Robinhood: “1099 = the number of dead bodies I'm gonna leave in my wake if you don't give me back the money you stole.”

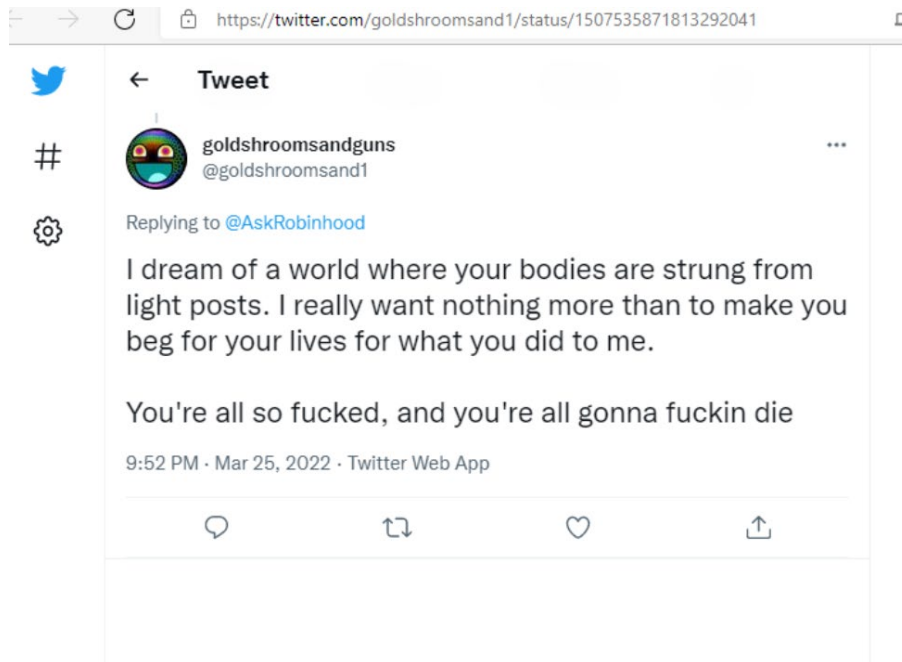


30. In March 2022, @goldshroomsand1, posted the following message directed at Robinhood: “Imagine having your whole family killed just bc you wanted to work for Robinhood.”

31. On March 25, 2022, @goldshroomsand1, posted a message directed at the CEO of Robinhood threatening “I’m gonna make you beg me to stop skinning your children in front of you.”

32. On March 25, 2022, @goldshroomsand1, posted the following tweet directed to “@AskRobinhood”: “I dream of a world where your bodies are strung from light posts. I really want nothing more than to make you beg for your lives for what you did to me. You’re all so fucked, and you’re all gonna fuckin die.”

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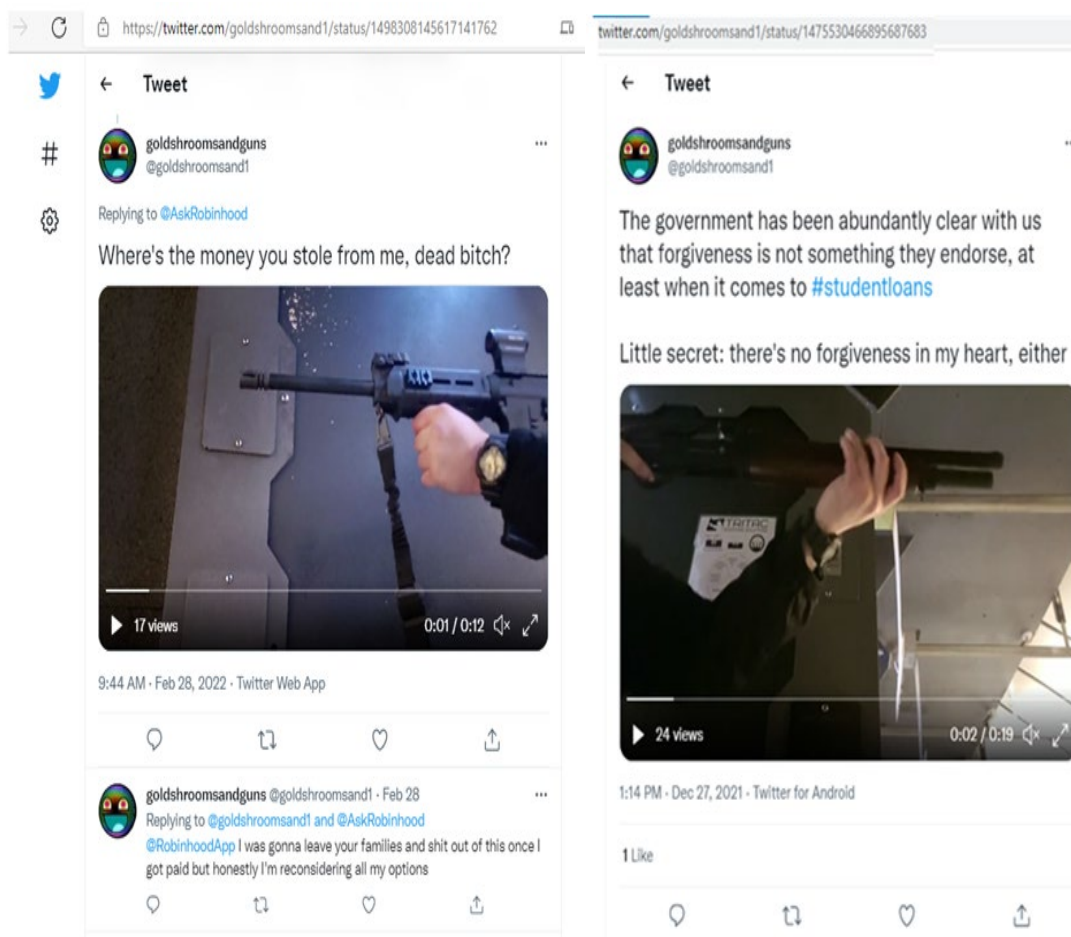
33. On March 26, 2022, @goldshroomsand1, posted the following message directed at Robinhood: "The saddest part about your candlelight vigil? There won't be any surviving friends and family to cancel last minute."

34. On April 14, 2022, @goldshroomsand1, posted the following message directed at Robinhood:



35. Pursuant to a 2702 Emergency Disclosure Request to Twitter, the FBI received records that revealed the account used by @goldshroomsand1 was created on March 26, 2021, from Internet Protocol (IP) address 98.246.55.224. An FBI Agent asked Robinhood to query their records to determine if one of their customers used this same IP address on or around March 26, 2021. Robinhood identified MICHALSKI of Salem, Oregon as the only Robinhood customer who had used IP address 98.246.55.224.

36. As part of this investigation, we discovered that the Twitter user @goldshroomsand1 had posted multiple images of firearms at what appeared to be a shooting range as shown below.



37. Included in some of the shooting range images/videos were the range lane markings bearing “Tritac” as shown on the above photo on the right. An analyst at Robinhood determined there was a shooting range in Salem, Oregon named “Tritac Shooting Range” (Tritac). I confirmed this and visited Tritac. Online search results did not show any other shooting ranges named Tritac. I spoke with the owner and employees at Tritac who confirmed the images posted by Twitter user @goldshroomsand1 were of Tritac’s range. Additionally, they confirmed MICHALSKI was a customer at Tritac having used their range on dates around when the images were posted by @goldshroomsand1. Twitter posts by @goldshroomsand1 indicated the user was a white male based on images and posted messages. MICHALSKI’S profile included the name of a woman identified as his spouse.

38. Through a query of Oregon Department of Motor Vehicle (DMV) records, I fully identified MICHALSKI by name, date of birth, and address. MICHALSKI was born in 1983 and resides in Salem, Oregon, which is in Marion County in the District of Oregon. MICHALSKI currently has a vehicle registered to him jointly with a female who was the same individual listed as his spouse in Tritac’s records.

39. Through a query of Oregon Secretary of State Corporation Division, I determined that in 2019 MICHALSKI was the authorized representative of Northwest Mycological doing business at his home address, the same address Robinhood, Tritac, and the DMV had for MICHALSKI. Mycology is the branch of biology involving the study of fungi.

40. On both April 20, 2022 and April 24, 2022, surveillance agents observed MICHALSKI in close proximity to his residence in Salem, Oregon.

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Conclusion

41. Based on the foregoing, I have probable cause to believe, and I do believe, that Christopher David Michalski, a resident of Salem, Oregon, has been posting on his Twitter Account threats to injure both the employees of Robinhood and their family members and has thus committed the crime of Interstate Communication of Threats, in violation of 18 U.S.C. § 875(c). I therefore request that the Court issue a criminal complaint and arrest warrant for Christopher David Michalski.

42. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney (AUSA) Scott Kerin, and AUSA Kerin advised me that in his opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

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Request for Sealing

43. It is respectfully requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested criminal complaint and arrest warrant. I believe that sealing these documents is necessary because the information to be seized is relevant to an ongoing investigation, and any disclosure of the information at this time may cause flight from prosecution, cause destruction of or tampering with evidence, or otherwise seriously jeopardize an investigation. Premature disclosure of the affidavit, the criminal complaint, and the arrest warrant may adversely affect the integrity of the investigation.

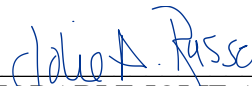
By phone pursuant to Fed R. Crim. P. 4.1

Peter A. Jackson

Special Agent

Federal Bureau of Investigation

Subscribed and sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone at 5:00pm on April 25, 2022.



HONORABLE JOLIE A. RUSSO

United States Magistrate Judge